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| 16 | UNITED STATES DISTRICT COURT                                       |  |
| 17 |  | OF NEVADA  |
| 18 | HANS MENOS, derivatively on behalf of ECO SCIENCE SOLUTIONS, INC., | Case No. 3:17-CV-00662-LRH-CLB                       |
| 19 | Plaintiff,   |  |
| 20 | v.   | STIPULATION OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE |
| 21 | JEFFERY L. TAYLOR, DON L.<br>TAYLOR, L. JOHN LEWIS, S.             | AND ORDER  |
| 22 | RANDALL OVESON, and GANNON GIGUIERE,                               |  |
| 23 | Defendants,  |  |
| 24 | and ECO SCIENCE SOLUTIONS, INC.,                                   |  |
| 25 | Nominal Defendant.   |  |
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Pursuant to Federal Rules of Civil Procedure 41(a) and 23.1(c) and LR 7-1, Plaintiff Hans Menos ("Plaintiff"), by and through his counsel the law firms of Leverty & Associates Law Chtd. Ltd. and The Rosen Law Firm, P.A. and Defendants Jeffery L. Taylor, Don L. Taylor, L. John Lewis, S. Randall Oveson and Gannon Giguiere (collectively, "Individual Defendants") and Nominal Defendant Eco Science Solutions, Inc. ("Eco Science" and with Individual Defendants, "Defendants" and with Plaintiff, the "Parties"), by and through their counsel, the law firm of Greenberg Traurig, LLP, hereby stipulate and agree:

WHEREAS, Plaintiff commenced this action on November 3, 2017;

WHEREAS, Plaintiff filed the Verified First Amended Shareholder Derivative Complaint ("Amended Complaint") on December 21, 2018;

WHEREAS, Defendants filed an answer to the Amended Complaint on September 13, 2019; and

WHEREAS, the claims alleged in this action on behalf of Eco Science are also being asserted in two other jurisdictions: (1) in the First District Court of Nevada, Carson City County styled as *Glorioso v. Taylor, et al.*, Case No. 17 OC 001371B; and (2) in the United States District Court for the District of Hawaii in the consolidated actions styled as *Bell v. Taylor, et al.*, Case No. 17-cv-00530 and *D'Annunzio v. Taylor, et al.*, Case No. 18-cv-00016;

NOW, THEREFORE, the Parties in this action stipulate and agree as follows:

- 1. This action is dismissed without prejudice.
- 2. Each Party is to bear its own costs and fees.
- 3. Notice of voluntary dismissal is not required under Fed. R. Civ. P. 23.1(c) because: (i) there has been no settlement or compromise in the action; (ii) there has been no collusion among the Parties; (iii) neither Plaintiff nor his counsel have received or will receive, directly or indirectly, any consideration from Defendants for the dismissal; and (iv) the dismissal is without prejudice.

| 1   | Respectfully submitted,  |   |
|-----|--|---|
| 2   | Dated: March 2, 2020   |   |
| 3   |  |   |
| 4   | THE ROSEN LAW FIRM, P.A.   | GREENBERG TRAURIG, LLP  |
| 5   | By: <u>/s/ Erica L. Stone</u><br>Phillip Kim ( <i>pro hac vice</i> ) | By: <u>/s/ Joel M. Eads</u> Joel M. Eads ( <i>pro hac vice</i> )                      |
| 6   | Erica L. Stone (pro hac vice)  | 1717 Arch Street  |
| 7   | 275 Madison Avenue, 40 <sup>th</sup> Floor<br>New York, NY 10016     | Suite 400<br>Philadelphia, PA 19103   |
| 8   | Telephone: (212) 686-1060<br>Facsimile: (212) 202-3827               | Telephone: (215) 988-7800<br>Facsimile: (215) 988.7801                                |
| 9   | Email: pkim@rosenlegal.com   | Email: eadsj@gtlaw.com  |
| 10  | Patrick R. Leverty, Esq.   | Mark E. Ferrario  |
| 11  | LEVERTY & ASSOCIATES LAW CHTD. Reno Gould House                      | Christopher R. Miltenberger GREENBERG TRAURIG, LLP                                    |
| 12  | 832 Willow Street<br>Reno, NV 89502                                  | 10845 Griffith Peak Drive<br>Suite 600  |
| 13  | Telephone: (775) 322-6636  | Las Vegas, NV 89135   |
| 14  | Facsimile: (775) 322-3953<br>Email: pat@levertylaw.com               | Telephone: (702) 792-3773<br>Facsimile: (702) 792-9002                                |
| 15  | Counsel for Plaintiff  | Email: ferrariom@gtlaw.com Email: miltenbergerc@gtlaw.com                             |
| 16  |  |   |
| 17  |  | Counsel for Defendants Jeffery L. Taylor,<br>Don L. Taylor, L. John Lewis, S. Randall |
| 18  |  | Oveson, and Gannon Giguiere, and for Nominal Defendant Eco Science Solutions,         |
| 19  |  | Inc.  |
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| 22  | IT IS SO ORDERED:  |   |
| 23  | DATED this 3rd day of March, 2020.                                   |   |
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| 26  | LARRY R<br>UNITED:   | R. HICKS<br>STATES DISTRICT JUDGE   |
| 27  | CIVILD   |   |
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